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Attorneys for Defendant
EMPORIUM LEATHER COMPANY, INC., A New
Jersey Corporation doing business as ROYCE
LEATHER

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

VALLAVISTA CORPORATION, a
California corporation,

Plaintiff,

v.

AMAZON.COM, INC., a Delaware
corporation, TARGET CORPORATION, a
Minnesota corporation, EBAGS, INC., a
Colorado corporation, EMPORIUM
LEATHER COMPANY, INC., a New
Jersey corporation, doing business as
ROYCE LEATHER, and FASHION
HANDBAGS, INC., a Nevada corporation,
doing business as BO BO BAGS,

Defendants.

CASE NO. C07-05360 WHA

**DECLARATION OF PAT DUDA IN
RESPONSE TO ORDER TO SHOW
CAUSE**

Date: February 28, 2008
Time: 11:00 a.m.
Cttrm: 9
Judge: Hon. William Alsup

I, PAT DUDA declare as follows:

1. I am the General Manager of Emporium Leather Company d/b/a Royce Leather.

If called as a witness, I would competently testify to the following facts, all of which are within
my own personal knowledge.

2. On January 11, 2008, I received an email from plaintiff's counsel Mr. Kevin R.
Martin of the law firm of Randick O'Dea and Tooliatos, LLP to confirm that VallVista had
granted Emporium an extension until January 18, 2008 in which to respond to Plaintiff's

1 Complaint. A true and correct copy of the email I received from Mr. Martin on January 11 is
2 attached hereto as Exhibit A.

3 3. On January 18, 2008, I received an email from plaintiff's counsel Mr. Kevin R.
4 Martin of the law firm of Randick O'Dea and Tooliatos, LLP to confirm that VallVista had
5 granted Emporium an extension until February 1, 2008 in which to respond to Plaintiff's
6 Complaint. A true and correct copy of the email I received from Mr. Martin on January 18 is
7 attached hereto as Exhibit B.

8 4. On February 1, 2008, I received an email from plaintiff's counsel Mr. Kevin R.
9 Martin of the law firm of Randick O'Dea and Tooliatos, LLP to confirm that VallVista had
10 granted Emporium an extension until February 15, 2008 in which to respond to Plaintiff's
11 Complaint. A true and correct copy of the email I received from Mr. Martin on January 11 is
12 attached hereto as Exhibit C.

13 5. Late afternoon, of Friday February 22, 2008, we successfully settled this matter
14 with plaintiff VallaVista through direct communication and correspondence with Mr. Martin.

15 I declare under penalty of perjury under the laws of the United States of America that the
16 foregoing is true and correct, and that this declaration was executed on February 25, 2008, at

17 SECAUCUS, New Jersey.

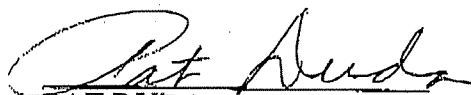
18 
19 PAT DUDA

EXHIBIT A

Subject: Re: TAXI WALLET
From: Patt <pat@royceleathergifts.com>
Date: Fri, 11 Jan 2008 16:02:12 -0500
To: Kevin Martin <KMartin@randicklaw.com>
BCC: On Lu <olu@MOUNT.com>

Dear Kevin:

We left you a voice mail. We would like to resolve this case and can we request an extension with you later than Jan. 18, 2008. Please give us a call at your earliest convenience.

Thanks
Pat Duda

Kevin Martin wrote:

| Please see attached.

EXHIBIT B

Subject: Re: Extension of time to Respond
From: Patt <pat@royceleathergifts.com>
Date: Fri, 18 Jan 2008 08:48:27 -0500
To: Kevin Martin <KMartin@randicklaw.com>

Dear Kevin:

Thank You
Pat

Kevin Martin wrote:

Pat- I am still waiting for a response to your settlement proposal from my client. In the interim, I will agree to extend your date for response to the complaint for two weeks to February 1, 2008.

Thanks

Kevin Martin
Randick O'Dea & Tooliatos, LLP
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Pleasanton, CA 94588-3348
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EXHIBIT C

Subject: Extension of Time to Answer Complaint
From: "Kevin Martin" <KMartin@randicklaw.com>
Date: Fri, 1 Feb 2008 11:11:02 -0800
To: "Patt" <pat@royceleathergifts.com>

Pat-

This will confirm our agreement to extend the deadline for response by Emporium Leather to the complaint of Vallavista for Trademark Infringement of the TAXI WALLET brand name. Your time for response will now be February 15, 2008.

Please contact me if this does not conform with your understanding.

Kevin Martin
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